

PATENT  
Serial No. 09/318,715

Amendment in Reply to Final Office Action of November 9, 2005

REMARKS

Reconsideration of the present application and entry of the present amendment are respectfully requested.

In the Office Action, claims 1-7 were rejected under 35 U.S.C. 102(a) as being anticipated by publication by Clunie, entitled, "DICOM Structured Reporting", pages 7-13, 31, 237, 306-314 and 325-344 (Clunie-1). Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over another publication by Clunie, entitled, "DICOM SR Meets XML" and "SR Object Model (SR\_OM)", NEMA SR Workshop, pages 1-22, March 29-30, 2000 (Clunie). Further, claims 9-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Clunie in view of U.S. 6,732,330 (Claussen). Claims 12-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Clunie in view of Claussen and Clunie-1.

In response, claims 5 and 12 have been canceled without prejudice and their features have been included in claims 1 and 8, where claims 9 and 13 have also been amended for conformance with amended claim 8 and changing dependence of claim 13. Applicants respectfully submit that claims 1-4, 6-11 and 13-14 are patentable

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over Clunie-1, Clunie and Claussen for at least the following reasons.

As correctly noted by the Examiner on page 9 of the Office Action, Clunie does not teach or suggest an XML builder coupled between the DICOM parser and the XML formatter, where the XML builder is configured to effect a direct mapping of each DICOM attribute into a corresponding XML element independent of the XML document-type-definition. Clunie-1 is cited in an attempt to remedy this deficiency in Clunie.

Clunie-1 is directed to DICOM Structured Reporting (SR) where a DICOM encoded SR is converted to an XML encoder SR which is in turn provided to an XSL-T transform engine through a DOM internal interface, as shown on page 344.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 8, amongst other patentable elements, requires:

an XML builder operably coupled between the DICOM parser and the XML formatter, said XML builder being configured to effect a direct mapping of each DICOM attribute of the plurality of DICOM attributes into a corresponding XML element of the plurality of XML elements independent of the XML document-type-definition. (Emphasis added)

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These features are nowhere taught or suggested in Clunie-1. There is simply no teaching or suggestion in Clunie-1 of the particular arrangement of the XML builder as recited in independent claim 1, let alone teaching or suggesting an XML builder that is configured to effect a direct mapping of each DICOM attribute into a corresponding XML element independent of the XML document-type-definition.

If the Examiner persists that this feature is shown or suggested in Clunie-1, then it is respectfully requested that the Examiner point out with particular specificity where exactly is such a feature shown suggested in Clunie-1. Claussen is cited in rejecting other claims to show other features and does not remedy the deficiencies in Clunie-1 and Clunie.

Accordingly, it is respectfully submitted that independent claims 1 and 8 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4, 6-7, 9-11 and 13-14 should also be allowed at least based on their dependence from independent claims 1 and 8 as well as for the separately patentable elements contained in each of

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the dependent claims.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

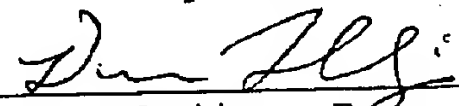
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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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